



Patent
Customer No. 22,852
Attorney Docket No. 04853.0052

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
SATO ET AL.) Group Art Unit: 1642
Serial No. 09/720,326) Examiner: Karen A. Canella
Filed: December 22, 2000)
For: THERAPEUTIC AGENT FOR)
HYPERCALCEMIC CRISIS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Declaration Pursuant to In Re Hawkins, 179 U.S.P.Q. 157 (C.C.P.A. 1973)

I, Rebecca M. McNeill, do hereby declare and say that:

1. The specification (paragraph bridging pages 1-2) is amended to recite that "severe hypercalcemia, usually defined as 3.7 mmol/L (15 mg/dL) or above, is a medical emergency. When serum calcium is 3.7 to 4.5 mmol/L (15 to 18 mg/dL) or higher, coma and cardiac arrest can occur."

2. This amendatory material is quoted from the English language version of the reference cited in the same paragraph. See Harrison's Text for Internal Medicine, 3427, Internal Medicine, 1081-1084, Asakura Shoten (English Language Version: Potts, "Diseases of the Parathyroid Gland and Other Hyper- and Hypocalcemic Disorders," at 1902, in Harrison's Principles of Internal Medicine (12th edition, 1991).

This document is incorporated by reference on page 79, lines 1-2 of the application.

3. Thus, no new matter is introduced by way of this amendment.

4. I further declare that all statements made herein of my own knowledge are true; that all statements made on information and belief are believed to be true; that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: May 4, 2004

By: Rebecca M. McNeill
Rebecca M. McNeill
Reg. No. 43,796